

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

INA STEINER, DAVID STEINER, and)	
STEINER ASSOCIATES, LLC,)	
)	
Plaintiffs,)	Civil Action No. 21-CV-11181-PBS
)	
v.)	
)	
EBAY INC., et al.,)	
)	
Defendants.)	
)	

**DEFENDANTS' EMERGENCY MOTION TO FURTHER EXTEND DEADLINE TO
FILE ANSWERS TO PLAINTIFFS' AMENDED COMPLAINT**

Defendants Progressive F.O.R.C.E. Concepts, LLC and Stephanie Stockwell
("Defendants") jointly move on an emergency basis to extend the deadline by which Defendants
must file their answers to Plaintiffs' Amended Complaint up to and including January 17, 2024.

As grounds for this emergency motion, Defendants state as follows:

1. Plaintiffs filed their Amended Complaint on March 1, 2023, *see* Dkt. No. 176, after receiving an unopposed two-week extension from their original February 15, 2023 filing deadline, *see* Dkt. Nos. 172, 173. The Amended Complaint spans 572 paragraphs over 123 pages.
2. Defendants filed their motions to dismiss in late April 2023. Dkt. Nos. 193, 196, 198, 203, 205, 207, 210, 215, 217.
3. On December 12, 2023, the Court granted in part and denied in part Defendants' motions to dismiss. Dkt. No. 309.
4. Several of the defendants filed a joint motion to extend the time to Answer to today, Friday, January 12, 2024. Dkt. No. 312.

5. The motion was allowed. Dkt. No. 313.

6. In a January 12, 2024 email, counsel for PFC requested Plaintiffs' position on the instant motion. Counsel for Plaintiffs did not respond, however counsel for plaintiff previously declined to agree to such an extension when requested by co-defendants' counsel.

7. Given the substantial length and breadth of the Amended Complaint (which contains 572 individual paragraphs, many of which contain multiple, numerous, factual assertions or allegations, spread over 123 pages), and as a result of delays centered around the holidays as well as unforeseen delays including personal illness of counsel, Defendants respectfully request that the Court further extend the deadline for Defendants' answer to the Amended Complaint up to and including January 17, 2024.

8. Defendant, Stephanie Stockwell, joins in this request for a brief extension of time until January 17, 2014, to file her Answer to the First Amended Complaint. Gail Shifman, counsel for Ms. Stockwell has been out of the office with Covid preventing Ms. Stockwell's ability to finalize her Answer to the 572 paragraphs in the 123 page First Amended Complaint. Ms. Shifman sought the assent of Plaintiff for this brief extension via email on January 11 and 12, 2024, however they do not consent.

9. Defendants submit this motion on an emergency basis because the current deadline for filing the answer is January 12, 2024, and the length of time prescribed under Local Rule 7.1(b)(2) for Plaintiffs to file an opposition to the instant motion for extension would extend past the current deadline that is the subject of this motion for extension.

WHEREFORE, Defendants respectfully move this Court to grant an extension of time by which Defendants must file an answer to the Plaintiffs' Amended Complaint up to and including January 17, 2024.

Dated: January 12, 2024

Respectfully submitted,

/s/ Tory A. Weigand

Tory A. Weigand

Matthew J. Holmes

MORRISON MAHONEY LLP

250 Summer Street

Boston, MA 02210

(617) 737-8827

tweigand@morrisonmahoney.com

mholmes@morrisonmahoney.com

*Counsel for Progressive F.O.R.C.E. Concepts,
LLC*

/s/ Gail Shifman

Gail Shifman

LAW OFFICE OF GAIL SHIFMAN

2431 FILLMORE STREET

SAN FRANCISCO CA 94115

T 415.551.1500

GAIL@SHIFMANGROUP.COM

Counsel for Stephanie Stockwell

CERTIFICATION PURSUANT TO L.R. 7.1(a)(2)

I, Matthew J. Holmes, counsel for PFC, hereby certify that, in accordance with Local Rule 7.1(a)(2), counsel for PFC attempted to confer with counsel for Plaintiffs on January 12, 2024, who did not response.

Dated: January 12, 2024

/s/ Matthew J. Holmes

Matthew J.
Holmes

CERTIFICATE OF SERVICE

I hereby certify that on January 12, 2024, this document, filed through the CM/ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants

Dated: January 12, 2024

/s/ Matthew J. Holmes

Matthew J.
Holmes